

Exhibit E

Page 1

14 | REMOTE DEPOSITION OF COMMISSIONER CYNTHIA BEANE

17 DATE: March 29, 2022

18 TIME: 8:00 a.m. CST

19 PLACE: Veritext Virtual Videoconference

24 REPORTED BY: KELLEY E. ZILLES, RPR (Via Videoconference)

25 JOB NUMBER: 5096149

Page 2

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23 NOTE: The original deposition transcript will be
24 delivered to Tara Borelli, Esq., as the taking attorney.
25

1 occurred in West Virginia and we put a modifier on so we
2 can get those claims paid.

3 Q. Does BMS track a gender marker for its members?

4 A. Meaning male, female?

5 Q. Correct, including male and female. Does BMS
6 have a gender marker of male or female or any other kind
7 of gender marker on each member?

8 A. Yes, when you apply for Medicaid you say whether
9 you're male or female, that's in the system.

10 Q. And just to go back to our questions a moment
11 ago about that modifier. So the modifier doesn't,
12 there's no modifier that's attached to transgender
13 members generally, it sounds like that modifier that we
14 were discussing uses one kind to refer access to
15 pregnancy care of a transgender man, is that correct?

16 A. You are correct.

17 Q. So back to gender markers. You testified that
18 each Medicaid member has to designate a marker of male
19 or female when they apply for Medicaid, is that correct?

20 A. Correct.

21 Q. And can members change that gender marker at any
22 time after they have originally designated it?

23 A. I would assume so. I don't think we have
24 anything stopping that, but I would, I honestly don't
25 know if that's occurring or if that's happening. I

1 works with that does research for Dr. Becker, and I know
2 that Dr. Becker was on the call.

3 Q. So on a slightly different topic, are you
4 familiar with what social transition refers to?

5 A. I'm sorry, did you say -- I can't hear you.

6 Q. Are you familiar with what social transition
7 refers to?

8 A. I am not.

9 Q. So that would mean BMS does not have a position
10 on whether transgender children should be prevented from
11 socially transitioning, correct?

12 A. I don't believe we have a position. I'm not
13 even sure what it is.

14 Q. And are you familiar with what is sometimes
15 referred to as conversion therapy?

16 A. For someone who is gay, like pray the gay away?

17 Q. Yes, it can be referred to that. And for
18 purposes of this question, assume that it's applying
19 that principle to be transgender, so assume --

20 A. Yes, I have heard of that.

21 Q. Does BMS have a position on whether transgender
22 children should be subjected to conversion therapy?

23 A. No one should be subjected to that therapy.

24 Q. Thank you. All right. If you are good to keep
25 going for a little while, then I think I'll turn to our